

# Exhibit 4

## Attachment D

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 101200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140OFFICE OF THE  
REGIONAL  
ADMINISTRATOR

MAR 29 2012

Ms. Sarah Hubbard-Gray, Consulting Facilitator  
Spokane River Stewardship Partners  
300 SW Columbia Street  
Bend, Oregon 97702

Dear Ms. Hubbard-Gray:

I am writing in response to your letter of March 1, 2012 asking the EPA to clarify on whether the NPDES permits the EPA is drafting for Publicly Owned Treatment Works discharging to the Spokane River in Idaho will require the Idaho permittees to participate in the Spokane River Regional Toxics Task Force.

The EPA fully supports the goals of the Task Force to develop a comprehensive plan to bring the Spokane River into compliance with applicable water quality standards for polychlorinated biphenyls (PCBs). The EPA is an active member of the Task Force and we believe it is in the best interest of all stakeholders to participate.

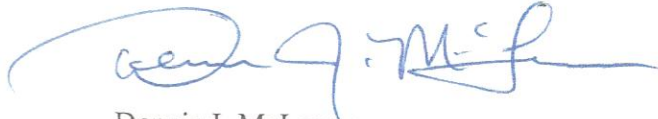
Although we encourage Task Force participation by the Idaho permittees, the EPA does not believe the Clean Water Act or its implementing regulations provide us with the authority necessary to require their participation in the Task Force, as a condition of their NPDES permits. However, the EPA does have the authority to require other conditions related to toxics, including requirements that the permittees sample their influent, effluent, and the receiving water for toxic pollutants causing water quality impairments in the Spokane River (i.e., PCBs and 2,3,7,8 tetrachlorodibenzo-p-dioxin or TCDD) and to develop toxic management plans to control or abate the discharge of these pollutants. The EPA will propose such requirements in the draft permits.

Similar to the Washington permits, the toxic management plan requires that the EPA will propose in the draft Idaho permits are intended to reduce or eliminate discharges of PCBs and TCDD into the POTWs' collection systems by eliminating sources within the permittees' control, by fully implementing existing pretreatment and Toxics Substances Control Act regulations, and through education. These similarities in the Washington and Idaho permits lend further support for coordination between the dischargers which can be enhanced through participation on the Task Force.

The EPA is committed to participating in the Task Force and will continue to encourage participation by the Idaho permittees. The EPA expects to issue the draft Idaho NPDES permits for public review and comment late this spring and any Task Force member may submit comments on those draft permits, including the toxic management plan requirements and monitoring requirements for toxics.

If you have any further questions, please contact Mike Lidgard, the NPDES Permits Unit Manager at 206-553-1755 or via email at [lidgard.michael@epa.gov](mailto:lidgard.michael@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis J. McLerran". The signature is fluid and cursive, with a large initial "D" and a stylized "M".

Dennis J. McLerran  
Regional Administrator